



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GP/1644

#4 10/30/00
TGray

Re application of: Robert Sackstein

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Serial No. 09/358,116

Group Art Unit: 1644

OCT 27 2000

Filed: 07/21/99

Examiner: Gambel, P.

TECH CENTER 1600/2900

For: SULFONATION-INDEPENDENT L-SELECTIN
LIGAN (SILL) AND THERAPEUTICS THEREOF

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Attorney Docket No. 0152.00344

OCT 30 2000

RESPONSE

TECH CENTER 1600/2900

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

10/31/2000 TGRAY1 00000003 111449 09358116

01 FC:215 55.00 CH This is in response to the Office Action dated August 22, 2000, paper number 3. Please amend the application as follows:

Restriction to one of the following groups was required under 35 U.S.C.

§ 121:

I. Claims 1-4, drawn to a hemopoietic cell L-selectin ligand glycoprotein, classified in Class 530, subclass 300.

II. Claims 5-6, drawn to hemopoietic cell L-selectin ligand glycoprotein-specific antibodies, classified in Class 530, subclass 387.1.

III. Claims 7-10, drawn to a method of targeting cells expressing hemopoietic cell L-selectin ligand glycoprotein with specific immunotoxins, classified in Class 424, subclass 178.1.

IV. Claims 11-13, drawn to methods of selecting for and against cells expressing hemopoietic cell L-selectin ligand glycoprotein with appropriate antibodies, classified in Class 424, subclass 140.1.

V. Claim 14, drawn to a method of regulating hemopoiesis by selecting for cells expressing hemopoietic cell L-selectin ligand glycoprotein with

appropriate antibodies and reinfusing said selected cells, classified in Class 424, subclass 93.71.

VI. Claims 15-16, drawn to a method of regulating inflammatory responses by administering hemopoietic cell L-selectin ligand glycoprotein-specific antibodies, classified in Class 424, subclass 143.1.

VII. Claims 17-18, drawn to a method of performing an overlay adherence assay, classified in Class 536, subclass 501.

VIII. Claims 19-22, drawn to a method of making a cytocentrifuge sample chamber, classified in Class 210, subclass 361.

IX. Claims 23-29, drawn to a cytocentrifuge sample chamber assembly, classified in Class 210, subclass 361.

Applicants provisionally elect Group I, claims 1-4 for prosecution purposes, with traverse. Applicants hereby conditionally withdraw claims 5-29 for prosecution, without prejudice, and request reconsideration of the restriction requirement.

Applicants traverse the restriction requirement based on the following grounds. It is respectfully submitted that the restriction requirement practice was established to promote efficiency of prosecution in the Patent Office. All the groups of claims relate to the L-selectin ligand glycoprotein and antibodies thereof. Therefore, all of the claims relate to the glycoprotein or methods of using the same. It is respectfully submitted that examination of all of the claims in a single application would be efficient, thereby promoting the grounds for the establishment of the restriction requirement practice. Hence, it is respectfully submitted that restriction should not be required and that Applicants have traversed the restriction requirement. However, as stated above, Applicants have elected the claims of Group I and provisionally withdraw claims 5-29, without prejudice, pending reconsideration of the restriction requirement.

The application is now in condition for allowance, which allowance is respectfully solicited.

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In view of the present amendment and foregoing remarks, reconsideration of the rejections and advancement of the case to issue are respectfully requested.

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The Commissioner is authorized to charge any fee or credit any overpayment in connection with this communication to our Deposit Account No. 11-1449.

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Respectfully submitted,

KOHN & ASSOCIATES

Amy E. Rinaldo
Registration No. 45,791
30500 Northwestern Hwy. Ste. 410
Farmington Hills, Michigan 48334
(248) 539-5050

Dated: October 19, 2000

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on October 19, 2000.

Connie Herty